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Dated: October 22, 2004

Signature: _____

(Eric M. Brusca)

Docket No.: 28967/34891.1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Kari Alitalo et al.

Application No.: 10/774,802

Filed: February 9, 2004

For: Flt4 (VEGFR-3) as a Target for Tumor Imaging
and Anti-Tumor Therapy

Art Unit: 1646

Examiner: Not Yet Assigned

RESPONSE TO NOTICE OF INCOMPLETE REPLY

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Incomplete Reply mailed October 5, 2004, Applicant respectfully submits a check in the amount of \$220.00 and Part 2 Copy of Notice.

The following procedural history is relevant to the determination of the above-mentioned dollar amount:

On February, 2, 2004, Applicants filed the instant application including claims 1-42 with the basic filing fee but without excess claim fees;

On July 12, 2004, the Patent Office sent a first Notice of Incomplete Reply indicating total additional claims fees in the amount of \$542.00 (considering claims 1-42 as filed);

On July 23, 2004, Applicants filed a Preliminary Amendment that canceled claims 1-42 and added new claims 43-93;

On September 13, 2004, Applicants paid the additional claim fees of \$542.00 in response to the first Notice of Incomplete Reply and within the 2-month time period;

On October 5, 2004, the Patent Office sent a second Notice of Incomplete Reply indicating total additional claim fees in the amount of \$762.00 (considering new claims 43-93).

In view of the above procedural history, Applicants respectfully submit that the actual amount due is the difference between the amount indicated in the second Notice of Incomplete Reply (\$762.00) and the amount previously paid by the Applicant in response to the first Notice of Incomplete Reply (\$542.00). Accordingly, applicants submit a check in the amount of \$220.00 herewith.

Furthermore, considering that the Applicant's response to the first Notice of Incomplete Reply was complete and timely filed, Applicants respectfully submit that an extension of time for responding to the second Notice of Incomplete Reply is not warranted. Nevertheless, should the Patent Office disagree with the Applicant's position, then the instant reply should be considered a formal request for extension of time, and the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 28967/34891.1. A duplicate copy of this paper is enclosed.

Dated: October 22, 2004

Respectfully submitted,

By 

Eric M. Brusca (Reg. No. 52,664)

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/774,802	02/09/2004	Kari Alitalo	28967/34891.1

CONFIRMATION NO. 9059

FORMALITIES LETTER



OC000000014010186

04743

MARSHALL, GERSTEIN & BORUN LLP
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 233 S. WACKER DRIVE
 CHICAGO, IL 60606

Date Mailed: 10/05/2004

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

10/27/2004 GWORDF1 00000030 132855 10774802

01 FC:2201 44.00 OP
 02 FC:2202 27.00 OP
 03 FC:2203 149.00 OP

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 09/13/2004 to the Notice to File Missing Parts (Notice) mailed 07/12/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$762** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

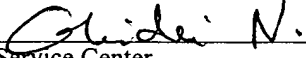
Total additional fee(s) required for this application is **\$762** for a Small Entity

- Total additional claim fee(s) for this application is **\$762**
 - **\$396** for 17 independent claims over 3.
 - **\$216** for 46 total claims over 20.
 - **\$150** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents

P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE